IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 18TH JULY 2007 / 27TH ASHADHA 1929

WP(C).No. 24850 of 2006(G)

PETITIONER:

JOHNSON POULOSE, S/O. POULOSE,
MAZHUVANCHERIL, ADIMALY, IDUKKI DISTRICT.

BY ADV. SRI.V.V.NANDAGOPAL NAMBIAR

RESPONDENTS:

1. ASST. EXECUTIVE ENGINEER,
   NATIONAL HIGHWAY SUB DIVISION,
   KOTHAMANGALAM.

2. SURVEY SUPERINTENDENT,
   OFFICE OF THE SURVEY SUPERINTENDENT,
   DEVIKULAM.

3. ELIYAS T.M.,
   THELAKKAT, MACHIPLAVU,
   MANNAMKANDAM VILLAGE.

4. ELIYAMMA POULOSE, W/O. POULOSE,
   KOCHUKUNNEL, MACHIPLAVU,
   MANNAMKANDAM VILLAGE.

BY ADV. SRI.PEEYUS A.KOTTAM
SHRI.BENCHAMIN PAUL.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P(C).No. 24850/06

APPENDIX

PETITIONER'S EXHIBITS:

P1. COPY OF THE LICENCE DTD.16.5.02.

P2. COPY OF THE NOTICE DTD.2.9.2006 BY R1.

P3. COPY OF THE BUILDING TAX RECEIPT.

P4. COPY OF THE REPRESENTATION DTD.16.9.06.

Sdk+

///True copy///

P.A. to Judge.

S.SIRI JAGAN, J.

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W.P.(C).No. 24850 of 2006

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Dated this the 18th day of July, 2007

J U D G M E N T

The petitioner is challenging Ext.P2 notice issued to the third respondent directing demolition of the building constructed encroaching into national highway. However, the petitioner now submits that he is prepared to demolish the offending portion, which the petitioner is occupying now pursuant to the sale in his favour by the 4th respondent, if he is given some time. In the above circumstances, this writ petition is disposed of with a direction to the 1st respondent to give the petitioner three weeks' time to demolish the offending portion.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.